

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION**

**CORR WIRELESS  
COMMUNICATIONS, L.L.C.,  
CELLULAR SOUTH, INC., and  
CELLULAR SOUTH LICENSES, LLC**

**PLAINTIFFS**

**V.**

**CIVIL ACTION NO. 3:12CV036**

**AT&T, INC., AT&T MOBILITY LLC,  
MOTOROLA SOLUTIONS, INC.,  
QUALCOMM INCORPORATED, and  
JOHN DOES 1-10**

**DEFENDANTS**

**JOINT OPPOSITION TO MOTION FOR EXTENSION OF TIME**

Defendants hereby respond to Plaintiffs' Motion for Time to File Motion to Amend Complaint [ECF 102] as follows:

Defendants respectfully submit that Plaintiffs' request for extended time to prepare (or decide whether to prepare) a Second Amended Complaint and motion for leave to amend is not the efficient route forward.

Plaintiffs already amended their complaint once after seeing the Defendants' motions to dismiss. Before dismissing the Amended Complaint, moreover, the Court first gave Plaintiffs every opportunity to state a claim by taking into consideration not merely the allegations of that complaint, but also the many additional allegations *added* by Mr. Perry during six hours of oral argument in response to the Court's detailed questions—effectively, a Second Amended Complaint already. If Plaintiffs had any more facts, they would have used them. A desire to go out and see if they can now find anything else is simply not an appropriate basis to request delay of entry of judgment. Plaintiffs' only stated reason for an extension is the complexity of this case. But all the complex technical facts relevant to this case have been known to Plaintiffs for

well over three years, since they filed an FCC petition based on the very same facts and seeking the very same remedy. Plaintiffs cannot seriously contend that they expect to grasp or uncover additional, game-changing facts in the coming month.

Defendants—publicly traded companies that have already had to bear extensive negative press coverage from Plaintiff’s unsupported claims—should be entitled to move forward promptly to a final resolution. Defendants respectfully suggest that the Court grant AT&T Inc.’s pending motion to dismiss for lack of personal jurisdiction (or in the alternative simply dismiss as to AT&T Inc. as well for failure to state a claim) and then enter final judgment in this matter as to all parties. If Plaintiffs wish to appeal this Court’s thorough decision, entry of final judgment will permit them to do so promptly. Delaying entry of judgment so that Plaintiffs have more time to “consider[ ]” filing a motion for leave to file another Amended Complaint, as they request, is not the path towards a fair, prompt, and final resolution of this dispute.

Dated, this the 11<sup>th</sup> day of September, 2012.

QUALCOMM INCORPORATED, Defendant

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MOTOROLA SOLUTIONS, INC., and MOTOROLA  
MOBILITY, INC. (n/k/a MOTOROLA MOBILITY LLC),  
Defendants

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**CERTIFICATE OF SERVICE**

I, L. F. Sams, Jr., one of the attorneys for Defendant, Qualcomm Incorporated, hereby certify that I have electronically filed the foregoing Joint Opposition to Motion for Extension of Time with the Clerk of the Court using the ECF system, which sent notification of such filing to the following:

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This the 11<sup>th</sup> day of September, 2012.

/s/ L. F. Sams, Jr.

L. F. Sams, Jr.